

EXHIBIT A**The Parties' Proposed Claim Constructions for Claim Terms in U.S. Patent No. 8,112,504**

	Term	Plaintiff's Proposed Construction & Support	Defendants' Proposed Construction & Support
1	"episodes"	<p>a television show, radio show, etc., that is one part of a series</p> <p><u>Intrinsic Evidence:</u></p> <p>Title; 19:35-20:11; 20:57-21:3; 39:35-46; 43-45:67; 46:1-52:11; Claims 1-35</p> <p>FH204-226; FH 199-200; FH 176-193; FH 143-171; FH 116-136; FH 55-79; FH 36-52; FH 25-26</p> <p><u>Extrinsic Evidence:</u></p> <p>E.D. Texas Case 9:09-cv-111-RC: Order (Dkt. #258); Transcript (Dkt. #203); Brief and Exhibits (Dkt. # 163)</p> <p>U.S Patent Nos. 6,199,076 and 7,509,178 and their respective prosecution histories</p> <p>Definition of "episode" as "a television show, radio show, etc., that is one part of a series" http://www.merriam-webster.com/dictionary/episode (Merriam-Webster Dictionary as of December 20, 2013)</p> <p>Transcript of Deposition of Richard Dean conducted on January 30, 2014</p>	<p>audio programs</p> <p><u>Intrinsic Evidence – The '504 Patent:</u></p> <p>Fig. 1, element 131</p> <p>2:11-17; 2:21-56; 2:57-63; 3:40-42; 5:63-6:2; 6:22-31; 19:36-58; 12:39-61; 19:61-62; 28:17-18; 38:42-44; 36:10-25; 39:36-45; 40:05-08</p> <p><u>Extrinsic Evidence:</u></p> <p>http://www.kdictionariesonline.com/DictionaryPage.aspx?ApplicationCode=18&DictionaryEntry=episode&SearchMode=Entry&TranLangs=18 (Random HouseKernerman Webster's College Dictionary, as of December 10, 2013)</p>
2	"media file"	<p>data file containing at least audio data, which may also contain graphics, images, audio and video data</p>	<p>data file containing at least audio data</p>

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		<p><u>Intrinsic Evidence:</u></p> <p>5:7; 6:11-21; 6:25-31; 40:45-47; 41:18-45:67; 44:22-36; 46:56-59; 46:64-47:2; 49:64-50:5; Fig. 1</p> <p>FH204-226; FH 199-200; FH 176-193; FH 143-171; FH 116-136; FH 55-79; FH 36-52; FH 25-26</p> <p><u>Extrinsic Evidence:</u></p> <p>E.D. Texas Case 9:09-cv-111-RC: Order (Dkt. #258); Transcript (Dkt. #203); Brief and Exhibits (Dkt. # 163)</p> <p>U.S Patent Nos. 6,199,076 and 7,509,178 and their respective prosecution histories</p> <p>Definition for “media file” as “1. Any kind of data including graphics, images, audio and video, though typically excluding raw text or executable code.” http://foldoc.org/media (Free On-Line Dictionary of Computing as of December 10, 2013).</p> <p>Definition for “file” -- “a collection of related computer data or program records stored by name.” http://www.kdictionaries-online.com/DictionaryPage.aspx?ApplicationCode=18&DictionaryEntry=file&SearchMode=Entry&TranLangs=18 (Random House Kernerman Webster's College Dictionary, as of December 10, 2013)</p> <p><i>See also</i> definition given for “episode” above.</p> <p>Transcript of Deposition of Richard Dean conducted on January 30, 2014</p>	<p><u>Intrinsic Evidence – The ‘504 Patent:</u></p> <p>Fig. 1, element 131</p> <p>2:11-17; 2:21-56; 2:57-63; 3:40-42; 5:63-6:2; 6:22-31; 19:36-58; 12:39-61; 19:61-62; 28:17-18; 38:42-44; 36:10-25; 39:36-45; 40:05-08</p>
3	“downloading a	data from the data/compilation file is transferred from a	transferring/transfer the file ... to the requesting client

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	<p>data file ... to the requesting client device”</p> <p>“download said ... compilation file to said requesting client device to said requesting client device”</p>	<p>storage location on a server to a requesting device</p> <p><u>Intrinsic Evidence:</u></p> <p>Figs. 1-5; 1:64-2:10; 5:23-35; 6:32-47; 6:60-8:61; 9:39-10:62; 11:46-12:39; 13:39-50; 14:63-15:21; 18:18-19:9; 19:35-59; 23:14-25:25; 27:5-30; 30:65-32:59; 39:11-46; 40:38-58; 42:8-18; 43:43-45:67; 46:1-52:11;</p> <p>Claims 1-35</p> <p>FH204-226; FH 199-200; FH 176-193; FH 143-171; FH 116-136; FH 55-79; FH 36-52; FH 25-26</p> <p><u>Extrinsic Evidence:</u></p> <p>E.D. Texas Case 9:09-cv-111-RC: Order (Dkt. #258); Transcript (Dkt. #203); Brief and Exhibits (Dkt. # 163)</p> <p>U.S Patent Nos. 6,199,076 and 7,509,178 and their respective prosecution histories</p> <p>See definition of “data file” and “compilation file.”</p> <p>Definition of “download” is “1. (Electronics & Computer Science / Computer Science) to copy or transfer (data or a program) into the memory of one's own computer from another computer.”</p> <p>http://www.thefreedictionary.com/downloads (Collins Dictionary as of December 10, 2013). See also definition of “download” as “to transfer data or programs from a server or host computer to one's own computer or digital device.”</p> <p>http://www.yourdictionary.com/download#science (American Heritage Science Dictionary as of December 10, 2013).</p> <p>Transcript of Deposition of Richard Dean conducted on</p>	<p>device for non-temporary storage and later use</p> <p><u>Intrinsic Evidence – The ‘504 Patent:</u></p> <p>Figs. 1, 2, and 5</p> <p>2:20-32; 2:57-63; 4:44-52; 6:37-42; 6:60-7:3; 7:19-22; 8:4-8; 8:37-9:11; 11:46-50; 12:14-24; 14:22-36; 14:55-15:10; 18:60-62; 19:1-9; 23:44-61; 24:19-24; 30:65-31:30; 35:66-36:9; 39:36-57</p> <p><u>Intrinsic Evidence – File History:</u></p> <p>July 21, 2011 Response to Final Rejection at 5-6, 9, and 14-15;</p> <p>January 3, 2011 Amendment at 19, 22-23 and 29;</p> <p>September 27, 2010 Amendment at 13, 17-19, 21, 22, 27, and 28.</p> <p><u>Extrinsic Evidence:</u></p> <p>Declaration of Adam A. Porter, PhD.</p> <p>Dictionary of Networking, Third Edition (1999) (“Dictionary of Networking”), at 116.</p> <p>Microsoft Press, Computer Dictionary, Third Edition (1997) (“Microsoft Dictionary”), at 160, 299, and 395-96.</p> <p>Karl Jonas, et al., Audio Streaming on the Internet, IEEE 1997 (“Jonas”), at SS71-76.</p>

	Term	Plaintiff's Proposed Construction & Support	Defendants' Proposed Construction & Support
		January 30, 2014	
4	"URL"	<p>the address of a resource (as a document or Web site) on the Internet</p> <p><u>Intrinsic Evidence:</u></p> <p>FH204-226; FH 199-200; FH 176-193; FH 143-171; FH 116-136; FH 55-79; FH 36-52; FH 25-26</p> <p><u>Extrinsic Evidence:</u></p> <p>Definition of "URL" – "the address of a resource (as a document or Web site) on the Internet that consists of a communications protocol followed by the name or address of a computer on the network and that often includes additional locating information (as directory and file names) <our site's URL is http://www.Merriam-Webster.com> —called also uniform resource locator, universal resource locator." http://www.merriam-webster.com/dictionary/url (Merriam-Webster Online as of December 10, 2013)</p> <p>Transcript of Deposition of Richard Dean conducted on January 30, 2014</p>	<p>an address for a file on the Internet, which address contains the path and/or filename of the file</p> <p><u>Intrinsic Evidence – The '504 Patent:</u></p> <p>8:37-43; 18:55-57; 19:6-10.</p> <p><u>Extrinsic Evidence:</u></p> <p>Dictionary of Networking at 383.</p> <p>Microsoft Dictionary at 487.</p> <p>Mary Ann Pike, Using the Internet, Que Corp. 1995 ("Pike"), at 686-87.</p> <p>http://www.kdictionariesonline.com/DictionaryPage.aspx?ApplicationCode=18&DictionaryEntry=file&SearchMode=Entry&TranLangs=18 (Random House Kernerman Webster's College Dictionary, as of December 10, 2013).</p> <p>http://www.merriamwebster.com/dictionary/url (Merriam-Webster Online as of December 10, 2013).</p>
5	"storage location"	<p>ordinary meaning</p> <p><u>Intrinsic Evidence:</u></p> <p>4:44-61; 6:48-59; 5:56-6:2; 7:10-40; 9:4-17; 10:15-37; 18:55-60; 46:1-52:11; Claims 1-35</p> <p>FH 176-193</p>	<p>a location in a storage facility</p> <p><u>Intrinsic Evidence – The '504 Patent:</u></p> <p>8:37-42; 18:55-57</p>

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		<p><u>Extrinsic Evidence:</u></p> <p>E.D. Texas Case 9:09-cv-111-RC: Order (Dkt. #258); Transcript (Dkt. #203); Brief and Exhibits (Dkt. # 163)</p> <p>U.S Patent Nos. 6,199,076 and 7,509,178 and their respective prosecution histories</p> <p>Transcript of Deposition of Richard Dean conducted on January 30, 2014</p>	
6	“for . . . from time to time, as new episodes represented in said series of episodes become available, storing an updated version of a compilation file”	<p>the processor assembles and stores an updated compilation file after new episodes in a series become available</p> <p><u>Intrinsic Evidence:</u></p> <p>Abstract; Figs. 4-6; 6:60-7:48; 8:47-52; 10:28-37;18:10-16; 12:8-19; 13:39-50; 14:37-62; 16:64-20:11; 23:34-25:25; 29:4-30:44; 30:65-31:18; 36:10-24; 36:25-41:17; 41:18-45:67; 46:1-52:11; Claims 1-35</p> <p>FH204-226; FH 199-200; FH 176-193; FH 143-171; FH 116-136; FH 55-79; FH 36-52; FH 25-26</p> <p><u>Extrinsic Evidence:</u></p> <p>See extrinsic evidence for “compilation.”</p> <p>Transcript of Deposition of Richard Dean conducted on January 30, 2014</p>	ordinary meaning
7	“compilation file”	a data file containing episode attribute data that is assembled by a processor	a data file containing episode attribute data

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		<p><u>Intrinsic Evidence:</u></p> <p>Abstract; Figs. 4-6; 6:60-7:48; 8:47-52; 12:8-19; 13:39-50; 14:37-62; 16:64-20:11; 23:34-25:25; 29:4-30:44; 30:65-31:18; 36:10-24; 36:25-41:17; 41:18-45:67; 46:1-52:11; Claims 1-35</p> <p>FH204-226; FH 199-200; FH 176-193; FH 143-171; FH 116-136; FH 55-79; FH 36-52; FH 25-26</p> <p><u>Extrinsic Evidence:</u></p> <p>E.D. Texas Case 9:09-cv-111-RC: Order (Dkt. #258); Transcript (Dkt. #203); Brief and Exhibits (Dkt. # 163)</p> <p>U.S Patent Nos. 6,199,076 and 7,509,178 and their respective prosecution histories</p> <p>See definition of "compilation" as "1 the action or process of producing something, especially a list, book, or report, by assembling information collected from other sources: great care has been taken in the compilation of this guidebook or 2 a thing, especially a book, record, or broadcast program, that is put together by assembling previously separate items"</p> <p>http://www.oxforddictionaries.com/us/definition/american_english/compilation (Oxford Dictionaries as of December 10, 2013)</p> <p>Transcript of Deposition of Richard Dean conducted on January 30, 2014</p>	
8	"employing one of said one or	<p>ordinary meaning</p> <p><u>Intrinsic Evidence:</u></p>	<p>employing a single one of the communication interfaces to</p> <p><u>Extrinsic Evidence:</u></p>

	Term	Plaintiff's Proposed Construction & Support	Defendants' Proposed Construction & Support
	more communication interfaces to"	<p>6:48-7:9; 7:50-8:15; Fig. 1</p> <p>FH204-226; FH 199-200; FH 176-193; FH 143-171; FH 116-136; FH 55-79; FH 36-52; FH 25-26</p> <p><u>Extrinsic Evidence:</u></p> <p>Definition of "interface" as "3. Computer Science</p> <p>a. The point of interaction or communication between a computer and any other entity, such as a printer or human operator."</p> <p>http://www.yourdictionary.com/interface#science (American Heritage Dictionary as of December 10, 2013)</p> <p>Transcript of Deposition of Richard Dean conducted on January 30, 2014</p>	<p>Oxford Dictionaries – American English, www.oxforddictionaries.com/us/definition/american_english/one?q=one, accessed on Dec. 9, 2013 ("Oxford On-Line Dictionary") at 1-4.</p> <p>Webster's II New Collegiate Dictionary (1995) ("Webster's") at 764.</p>
9	"thereafter receive and respond to a request from said requesting client device for one or more media files identified by one or more corresponding episode URLs included in the attribute data contained in said updated version of said	<p>ordinary meaning</p> <p><u>Intrinsic Evidence:</u></p> <p>6:60-7:22; 8:37-42</p> <p>FH204-226; FH 199-200; FH 176-193; FH 143-171; FH 116-136; FH 55-79; FH 36-52; FH 25-26</p> <p><u>Extrinsic Evidence:</u></p> <p>See definition of the various terms in this phrase above, including "media file," "episode," and "URL."</p> <p>See also the definition of "attribute" as "to regard as a characteristic of a person or thing." http://www.merriam-webster.com/dictionary/attribute (Merriam-Webster Online as of December 10, 2013)</p>	<p>thereafter, in response to a request received from said client device for a media file identified by a URL included in the updated compilation file, download the requested media file to the client device</p>

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	compilation files"	<p>See also the definition of "client device" as "client machine" and "client machine" as "[a] user's computer. Contrast with server. See client and client download." http://lookup.computerlanguage.com/host_app/search?cid=C999999&term=client+device&lookup.x=0&lookup.y=0 (Computer Desktop Encyclopedia as of December 10, 2013)</p> <p>See also the definition of "correspond" as "1. to be in agreement or conformity; match . . ." http://www.kdictionaries-online.com/DictionaryPage.aspx?ApplicationCode=18&DictionaryEntry=correspond&SearchMode=Entry&Translations=18 (Random House Kernerman Webster's College Dictionary, as of December 10, 2013)</p> <p>Transcript of Deposition of Richard Dean conducted on January 30, 2014</p>	